IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MRS. JUSTICE K.HEMA

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

MFA.No. 1286 of 2001(B)

O.P(MV).NO.974/1996 OF MOTOR ACCIDENTS CLAIMS TRIBUNAL, THALASSERY
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APPELLANT/ PETITIONER:

SURENDRAN C., S/O. CHATHU, AGED 40 YEARS,
SUBIN NIVAS, PANNIYANNUR POST,
CHOKLI, THALASSERY.

BY ADV. SRI.T.A.RAMADASAN,
ADV. SRI.CIBI THOMAS.

RESPONDENTS:
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1. **DAYAROTH MOHANAN, S/O. BAPPU,**
AGE IS NOT KNOWN, DAYAROTH HOUSE,
CHENDAYAD POST, THALASSERY TALUK,
DRIVER OF BUS KRZ 6009.

2. **K. RAJAN, FATHER'S NAME AND AGE NOT KNOWN,**
CHIRAKKAL HOUSE, POST KALLAYI,
KANNUR, OWNER OF BUS NO. KRZ 6009.

3. **M/S. UNITED INDIA INSURANCE COMPANY LTD.,**
KANNUR.

BY

THIS MISC. FIRST APPEAL HAVING BEEN FINALLY HEARD ON 05/12/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

J.B. Koshy & K.Hema, JJ.

M.F.A.No. 1286 of 2001

Dated this the 5th day of December, 2007

Judgment

Koshy,J.

Appellant/Claimant met with a motor accident on 5.10.1995 by which he suffered fracture of the femur. Open reduction treatment was given. No disability certificate was produced. The tribunal awarded Rs.1,33,400/- with 9% interest and cost. We are of the opinion that just and reasonable compensation is awarded.

2. Notice to the respondent is not yet served. Even though notice was ordered in 2001, no proper steps were taken.

3. We see no grounds to interfere in the award. Appeal dismissed.

J.B.Koshy
Judge

K. Hema
Judge

vaa

J.B. KOSHY AND
K.HEMA,JJ.

M.F.A. No. 1286 of 2001

Judgment

Dated:5th December, 2007